

PB# 94-28

MOREL & SHEPARD

57-1-80 & 81

Approved 8/28/95

TOWN OF NEW WINDSOR
555 Union Avenue
New Windsor, NY 12550

GENERAL RECEIPT

14322
October 21 1994

Received of Steven P. Drabick P.L.S. \$ 50.00
Fifty and 00/100 DOLLARS
For Planning Board Application Fee #94-28

DISTRIBUTION:

FUND	CODE	AMOUNT
CR # 793		\$ 50.00

By Dorothy H. Hansen
Town Clerk
Title

© WILLIAMSON LAW BOOK CO., VICTOR, N.Y. 14564

Planning Board
Town Hall

NO. 94-28

555 Union Ave.
New Windsor, N.Y. 12553

October 21, 1994

RECEIVED FROM Steven P. Drabick P.L.S.
One Hundred Fifty 00/100 DOLLARS
L.L. Change Escrow (Moul & Shepard)

Account Total \$ 150.00

Amount Paid \$ 150.00

Balance Due \$ 0-

Myra Mason, Secy to the P.B.
A. Zappolo 10/21/94

"THE EFFICIENCY LINE" AN AMPAD PRODUCT

Wilson Jones - Carbonless - Size 4-WCL Duplicate - Size 4-WCL Triplicate
Planning Board
Town Hall
555 Union Ave.
New Windsor, N.Y. 12553
MADE IN U.S.A.
© Wilson Jones, 1989

DATE August 31, 1995 RECEIPT NUMBER 94-28
RECEIVED FROM Bruce & Carol Anne Shepard
Address 18 Lakeside Dr. - New Windsor, N.Y.
Eighteen 00/100 DOLLARS \$ 18.00
FOR Addition to Escrow for outside professional fees for Lot Line Change

ACCOUNT		HOW PAID	
BEGINNING BALANCE	18 00	CASH	
AMOUNT PAID	18 00	CHECK #	1768
BALANCE DUE	0 -	MONEY ORDER	

Julia Guler
BY Myra Mason, Secy to the P.B.

Planning Board

Town Hall

555 Union Ave.

New Windsor, N.Y. 12553

NO. 94-28October 21, 1994RECEIVED FROM Steven P. Drabick P. L. S.One Hundred Fifty 00/100 DOLLARSL.L. Change Escrow (Moral & Shepard)Account Total \$ 150.00Amount Paid \$ 150.00Balance Due \$ 0-Myra Mason, Secy to the P.B.S. Zappolo 10/21/94

"THE EFFICIENCYLINE" AN AMPAD PRODUCT

Wilson Jones • Carbonless • 51642-WCL Duplicate • 51644-WCL Triplicate
 Planning Board
 Town Hall
 555 Union Ave.
 New Windsor, N.Y. 12553
 MADE IN U.S.A.
 © Wilson Jones, 1989

DATE August 31, 1995 RECEIPT NUMBER 94-28RECEIVED FROM Bruce & Carol Anne ShepardAddress 18 Lakeside Dr - New Windsor, N.Y.Eighteen 00/100 DOLLARS \$ 28.00FOR Addition to Escrow for outside professional fees for Lot Line Change

ACCOUNT			HOW PAID		
BEGINNING BALANCE	<u>18 00</u>		CASH		
AMOUNT PAID	<u>18 00</u>		CHECK #	<u>1768</u>	
BALANCE DUE	<u>0 -</u>		MONEY ORDER		

Myra Mason, Secy to the P.B.
10/21/94

TOWN OF NEW WINDSOR

555 Union Avenue

New Windsor, NY 12550

GENERAL RECEIPT

14979

Sept. 6, 1995Received of Bruce & Carol Anne Shepard \$ 200.00Two Hundred 00/100 DOLLARSFor Planning Board # 94-28

DISTRIBUTION:

FUND	CODE	AMOUNT
<u>Ck # 1767</u>		<u>200.00</u>

By Dorothy H. HansenTown Clerk

Title

REGULAR ITEMS:

(95-24) DORI ASSOCIATES SUBDIVISION - ROUTE 9W

Mr. Richard Barger appeared before the board for this proposal.

MR. PETRO: Why don't you bring us up to date?

MR. BARGER: The applicant proposed to subdivide a house off of the funeral home, it's in a NC zone, so we were sent to the zoning board to get variances because we're not allowed to subdivide NC zone. We obtained variances at the last zoning board meeting, one for an area variance, one for a use variance which allows us to subdivide the property and the maps reflect the zoning changes and what we propose to do.

MR. PETRO: The water and sewer to both lots, do you have the property documentation from each one with any easements? In other words, I think we talked about this before, some of the water lines are going across different lots, is that right?

MR. BARGER: Yeah, I showed them on the map and prepared the easements for, you know, when we can have the property for the owners to have access over the crossover properties to get to the ultimate use.

MR. PETRO: Have you seen a copy of Mark's comments at all?

MR. BARGER: No, I haven't.

MR. PETRO: Mark, why don't you just touch on a couple of those?

MR. EDSALL: Comment 2 just noting those were the two outstanding items that I had seen on the record from last meeting. Under 3, I'm indicating that they have shown us, the utility easements and the location of those services and each involves an easement through the adjoining property to the north. As far as the right-of-way for ingress egress, I'm suggesting that you talk a little bit to Andy about the method by which

that should be reflected in the deed, obviously, there's two ways to do it, either with a specific location or a generalized statement that would just say you have the rights for ingress egress. I would tend to think that given the fact that the site plan may change to some extent in the future for parking layout and such it may be better just to generally reference the ability for ingress egress through the existing paved areas.

MR. BARGER: That is what we planned on doing.

MR. EDSALL: It just has to be documented properly but they have shown us what we need.

MR. LANGANKE: Can you tell me for lot 2 where does the water service come in? It shows it coming in this way.

MR. VAN LEEUWEN: I don't see the sewer service.

MR. BARGER: Sewer service goes up to 9W.

MR. VAN LEEUWEN: Okay, I'm sorry.

MR. LANDER: You already have a 20 foot wide sewer easement leading to his residence here, right?

MR. BARGER: Yeah, he has an existing sewer line. There is a sewer line easement.

MR. LANDER: Because you're going to be on Richie Junior's lot?

MR. BARGER: He owns both of these.

MR. LANDER: Still the easement has to be for this house here.

MR. VAN LEEUWEN: I make a motion we declare ourselves lead agency.

MR. DUBALDI: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor planning board declare itself lead agency

for the Dori Associates site plan. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. VAN LEEUWEN	AYE
MR. STENT	AYE
MR. LANDER	AYE
MR. DUBALDI	AYE
MR. PETRO	AYE

MR. KRIEGER: I am somewhat confused what you are talking about access from lot one, I thought the whole purpose of your wanting a flag lot was so that lot 2 would have its own access directly on 9W?

MR. BABCOCK: For future.

MR. BARGER: At this point, they are going to use the existing funeral home itself. In the future if they want to put a road down through there, they would have the right to do it.

MR. KRIEGER: I'm not sure then that any access has to be by deed, has to be referred to through the funeral home. That may wind up simply being an encumbrance on the funeral home and since it has its own, I don't see where it's necessary to do it at all.

MR EDSALL: Well, they'll have a strip of property which will not be developed as an access and I think the discussions at the previous meeting would be that the lot one the funeral home lot would provide lot 2 with that right-of-way for ingress and egress and in the deed it would say that when the access is developed directly by lot 2 that that other ability would be extinguished.

MR. KRIEGER: Well, that approach becomes an encumbrance on lot one and leaves up to lot 2 basically a discretionary decision as to whether or not to develop that access to Route 9W. All of this is fine as long as they are in common ownership now that they have been separately defined, they could not be in

common ownership, that is the whole point. At some point in the future, lot two could be deeded off to someone else, lot one would have this remaining encumbrance on it which lot 2 the owner of lot 2 could enforce.

MR. PETRO: I want to take the road of less resistance, you're saying it's fine as it stands.

MR. KRIEGER: I don't see why any easement has to be referred to in lot one as long as they cooperate but lot 2 has its own access so there's nothing that the owner of lot one can do to deny lot 2 access because the owner of lot 2 has it within.

MR. EDSALL: My only concern legal access versus actually physical access are two different things, the owners of the funeral home lot could if there are no rights to the benefit of lot 2 at any time construct an access which would be strictly emergency vehicles from getting to the residence. My concern is really a physical one, got paper ability to create a future access. I believe there should be an ability for emergency access to be provided to lot 2.

MR. PETRO: Maybe it can be worded in that nature.

MR. EDSALL: However the attorneys want to work it out but my concern is one of safety.

MR. VAN LEEUWEN: Why don't we leave it up to the attorneys to work it out, Mr. chairman.

MR. KRIEGER: I'll be happy to look at it with the comments that have been made in mind.

MR. VAN LEEUWEN: I'll make a motion to waive public hearing.

MR. DUBALDI: I'll second it.

MR. PETRO: Motion has been made and seconded that the new Windsor Planning Board waive public hearing under its discretionary judgment. Is there any further discussion from the board members? If lot, roll call.

ROLL CALL

MR. VAN LEEUWEN	AYE
MR. STENT	AYE
MR. LANDER	AYE
MR. DUBALDI	AYE
MR. PETRO	AYE

MR. VAN LEEUWEN: I make a motion to approve except subject to the following conditions.

MR. VAN LEEUWEN: Wait, wait, wait, negative dec first.

MR. VAN LEEUWEN: I'll make a motion to declare negative dec.

MR. VAN LEEUWEN: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare a negative dec on the Dori Associates, Inc. Coloni Funeral Home site plan. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. VAN LEEUWEN	AYE
MR. STENT	AYE
MR. LANDER	AYE
MR. DUBALDI	AYE
MR. PETRO	AYE

MR. PETRO: Also for the board's edification and for the minutes, we have fire approval and 12/11/95 and water approval on 12/8/95 with the subcaption here of call water department regarding water service. Evidently, they want to talk to you about something but you can do that at your leisure.

MR. VAN LEEUWEN: Make a motion that we approve.

MR. LANDER: Just one second. It says here on the map other lands over Dori Associates, Inc. to be conveyed to Rich Coloni, Jr. Does he have this already or not?

MR. BARGER: Have they conveyed that deed?

MR. COLONI: I'm not sure if I have it in my possession.

MR. LANDER: Has it been already conveyed to you?

MR. BARGER: The paperwork has been made up and given to the attorney. I don't know if it's physically been transferred. That was one of the things, this has to be conveyed, the paperwork has been made up to give to his attorney.

MR. COLONI: I think the attorneys still have it.

MR. PETRO: Mark, all the Zoning Board variances have been put on the map to your satisfaction?

MR. EDSALL: I see a note there, I would assume that that would reflect all the variances that the ZBA acted on. I don't have any copy of the Zoning Board records.

MR. BARGER: That is the three.

MR. PETRO: Mr. Van Leeuwen, you wanted to make a motion?

MR. VAN LEEUWEN: I'd like to make a motion to approve subject to the following thing, that they get the problem with the water department straightened away, that the attorneys are satisfied with the ingress egress and also the chairman. That is it.

MR. VAN LEEUWEN: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant final approval to the Dori Associates Coloni minor subdivision on Route 9W subject to what Mr. Van Leeuwen read into the minutes. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

December 13, 1995

9

MR. VAN LEEUWEN	AYE
MR. STENT	AYE
MR. LANDER	AYE
MR. DUBALDI	AYE
MR. PETRO	AYE



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
JAMES M. FARR, P.E.

- ☐ **Main Office**
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- ☐ **Branch Office**
507 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765

**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS**

REVIEW NAME: DORI ASSOCIATES (COLONI) MINOR SUBDIVISION
PROJECT LOCATION: NYS ROUTE 9W (WEST SIDE)
SECTION 37-BLOCK 1-LOT 21
PROJECT NUMBER: 95-24
DATE: 13 DECEMBER 1995
DESCRIPTION: THE APPLICATION INVOLVES THE SUBDIVISION OF THE COLONI FUNERAL HOME PROPERTY TO CREATE A NEW LOT FOR THE EXISTING SINGLE-FAMILY RESIDENCE TO THE NORTH. THE PLAN WAS PREVIOUSLY DISCUSSED AT THE 23 AUGUST 1995 PLANNING BOARD MEETING AND REFERRED TO THE ZONING BOARD OF APPEALS.

1. The plans indicate that variances were granted on 27 November 1995. The Board should verify, with the Zoning Board Attorney, that all necessary use and/or area variances have been obtained.
2. With the understanding that zoning compliance has been achieved through ZBA action, it would be my understanding that the only remaining issues involve the following:
 - a. Documentation of proper sewer and water services to the lots, with any necessary easements.
 - b. Documentation of any right-of-ways for ingress and egress to serve both proposed Lot 2, as well as the existing residence on the adjoining lot to the north.
3. The plans appear to indicate utility easements through the adjoining property to the north, serving proposed Lot 2 of the subdivision. This would seem to suffice relative to the utility requirements.

With regard to the access issue, the Board and their Attorney may wish to discuss the need for a defined right-of-way through the funeral home lot (Lot 1), or if a general reference to ingress and egress in the deed would be an acceptable method.

**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS
PAGE 2**

REVIEW NAME: DORI ASSOCIATES (COLONI) MINOR SUBDIVISION
PROJECT LOCATION: NYS ROUTE 9W (WEST SIDE)
SECTION 37-BLOCK 1-LOT 21
PROJECT NUMBER: 95-24
DATE: 13 DECEMBER 1995

I recommend that the Planning Board require that the Applicant include all utility and access easements and right-of-ways in the deeds of record, to memorialize the provisions discussed with this application.

4. The Planning Board may wish to assume the position of **Lead Agency** under the SEQRA process.
5. The Planning Board may wish to make a **determination** regarding the type action this project should be classified under SEQRA and make a determination regarding environmental significance.
6. The Planning Board should determine if a **Public Hearing** will be necessary for this **minor subdivision**, or if same can be waived per Paragraph 4.B of the Subdivision Regulations.
7. At such time that the Planning Board has made further review of this application, **further engineering reviews** and comments will be made, as deemed necessary by the Board.

Respectfully submitted


Mark J. Edsall, P.E.
Planning Board Engineer

MJEmk

A:DORI.mk

CORRESPONDENCE:

MOREL/SHEPHERD L.L. CHANGE (94-28) REQUEST FOR REAPPROVAL

MR. LANDER: Where was that?

MR. VAN LEEUWEN: Over on Lake Road, Beaver Dam, was that high piece of property.

MR. PETRO: I'll read the letter. Attention Chairman Petro, Town of New Windsor Planning Board. We request reapproval for application 94-28, reason being that we would like to finalize the lot line change. We, the Shepherds, want to be free of any liabilities of the driveway. Both ourselves and the Morels have signed and agreed with the changes indicated on the map. The tardiness for completion of the paperwork for the previous application is not from us, the Morels and their lawyer were handling all issues from the original application. Upon learning that that application approval had lapsed due to time considerations, we immediately acted. We hope this meets with the board's approval, so we can finalize this issue at once. Sincerely, Bruce G. Shepherd and Carolann Shepherd.

MR. VAN LEEUWEN: I make a motion to approve.

MR. DUBALDI: Second it.

MR. LANDER: Andrew, could you give me, is there any problem with that?

MR. KRIEGER: No.

MR. PETRO: We don't need the other signature.

MR. EDSALL: I think the application had both signatures anyway, right?

MR. KRIEGER: Yes, as long as the application had both signatures.

MR. PETRO: We have a motion. Can you second it?

MR. LANDER: Letter should have been signed by all parties so we knew the other people knew this was coming.

MR. BABCOCK: They know what is happening.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant a six month extension to the Shepherds, a reapproval. This has already lapsed so what Myra is telling me we should actually re-approval it and not do an extension.

MR. EDSALL: Correct.

MR. VAN LEEUWEN: Reapproval.

MR. PETRO: Change the last motion, make a new motion.

MR. VAN LEEUWEN: Make a motion that we approve the lot line change, re-approval of the lot lane change for the Morels and Shepherds.

MR. DUBALDI: Second it.

MR. EDSALL: I know you asked and as far as everyone is aware, there's nothing that has changed that would affect the approval for the SEQRA review.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant reapproval for the lot line change for the Shepherds and Morels. It's on 18 Lakeside Drive, New Windsor, New York. Is there any further discussion from the board members? If not, roll call. All further motions would be still in effect at this time, namely lead agency, SEQRA and waiver of public hearing.

MR. VAN LEEUWEN: Yes.

MR. PETRO: Any further discussion from the board members? Application 94-28.

ROLL CALL

MR. VAN LEEUWEN AYE

August 23, 1995

38

MR. STENT	AYE
MR. DUBALDI	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. LANDER: Do they have to pay the fees again?

MR. BABCOCK: There are fees for lot line change, yes, they do have to pay the fees.

MR. PETRO: All fees would be enforced.

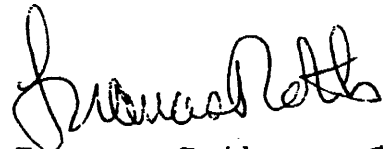
MR. DUBALDI: I move we adjourn.

MR. STENT: Second it.

ROLL CALL

MR. VAN LEEUWEN	AYE
MR. STENT	AYE
MR. DUBALDI	AYE
MR. LANDER	AYE
MR. PETRO	AYE

Respectfully Submitted By:



Frances Roth
Stenographer

9/7/95

PLANNING BOARD
TOWN OF NEW WINDSOR

PAGE: 1

AS OF: 09/06/95

LISTING OF PLANNING BOARD FEES
ESCROW

FOR PROJECT NUMBER: 94-28

NAME: LOT LINE CHANGE - MOREL & SHEPARD
APPLICANT: MOREL, SERGE & SHEPARD, BRUCE

--DATE--	DESCRIPTION-----	TRANS	AMT-CHG	AMT-PAID	BAL-DUE
10/21/94	REC. CK #794 LL CHG	PAID		150.00	
10/26/94	P.B. ATTY FEE	CHG	35.00		
10/26/94	P.B. MINUTES	CHG	22.50		
06/21/95	P.B. ENGINEER FEE	CHG	110.50		
08/31/95	REC. CK. #1768	PAID		18.00	
	TOTAL:		168.00	168.00	0.00

P.B. # 94-28 ESCROW
496-8117
BRUCE G. SHEPARD
CAROL ANNE SHEPARD
18 LAKESIDE DR.
NEW WINDSOR, NY 12553

August 31 1995

1768

50-597 219

PAY TO THE ORDER OF Town of New Windsor \$ 18.00

Eighteen dollar and 00/100 DOLLARS

UNION STATE BANK
46 COLLEGE AVENUE
NANUET, NY 10954

FOR Carol Anne Shepard

⑆02⑆905977⑆ 475⑆82043⑆6⑆ 1768

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 09/06/95

PAGE: 1

LISTING OF PLANNING BOARD ACTIONS

STAGE:

STATUS [Open, Withd]
A [Disap, Appr]

FOR PROJECT NUMBER: 94-28

NAME: LOT LINE CHANGE - MOREL & SHEPARD
APPLICANT: MOREL, SERGE & SHEPARD, BRUCE

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
08/28/95	PLANS STAMPED	APPROVED
08/23/95	P.B. CORRESPONDENCE	REAPPROVED
10/26/94	P.B. APPEARANCE	LA:ND WVE PH - C APP . CONDITIONALLY APPROVED: NOTE "NO FURTHER SUBDIVISION"
09/21/94	WORK SESSION APPEARANCE	REVISE & SUBMIT
05/18/94	WORK SESSION APPEARANCE	REVISE& RET. TO WS
12/15/93	WORK SESSION APPEARANCE	RETURN TO WS

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 09/06/95

PAGE: 1

LISTING OF PLANNING BOARD AGENCY APPROVALS

FOR PROJECT NUMBER: 94-28

NAME: LOT LINE CHANGE - MOREL & SHEPARD
APPLICANT: MOREL, SERGE & SHEPARD, BRUCE

	DATE-SENT	AGENCY-----	DATE-RECD	RESPONSE-----
ORIG	10/21/94	MUNICIPAL HIGHWAY	11/14/94	APPROVED
ORIG	10/21/94	MUNICIPAL WATER	10/24/94	NO TOWN WATER
ORIG	10/21/94	MUNICIPAL SEWER	10/26/94	APPROVED
ORIG	10/21/94	MUNICIPAL FIRE	10/24/94	APPROVED
ORIG	10/21/94		/ /	
ORIG	10/21/94		/ /	

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 09/06/95

PAGE: 1

LISTING OF PLANNING BOARD FEES
APPROVAL

FOR PROJECT NUMBER: 94-28

NAME: LOT LINE CHANGE - MOREL & SHEPARD

APPLICANT: MOREL, SERGE & SHEPARD, BRUCE

--DATE--	DESCRIPTION-----	TRANS	AMT-CHG	AMT-PAID	BAL-DUE
06/21/95	APPROVAL FEE	CHG	100.00		
08/23/95	REAPPROVAL FEE	CHG	100.00		
08/31/95	REC. CK. #1767	PAID		200.00	
		TOTAL:	200.00	200.00	0.00

LOT LINE CHANGE FEES - TOWN OF NEW WINDSOR

APPLICATION (INCL. LOT LINE CHANGE):

LOT LINE CHANGE APPLICATION FEE \$ 50.00

ESCROW (\$150.00 - \$400.00) \$

APPROVAL FEES: (LOT LINE CHANGE)

PRE-PRELIMINARY PLAT APPROVAL.....\$ 25.00

PRELIMINARY PLAT APPROVAL..... 25.00

FINAL APPROVAL..... 50.00

TOTAL APPROVAL FEES L.L.CHG....\$100.00

8/23/95 Re Approval

100.00

THE FOLLOWING CHARGES ARE TO BE DEDUCTED FROM ESCROW:

PLANNING BOARD ENGINEER FEES:\$ 110.50

PLANNING BOARD ATTORNEY FEES:\$ 35.00

MINUTES OF MEETINGS\$ 22.50

OTHER\$

TOTAL TO BE DEDUCTED FROM ESCROW: \$ 168.00

Less Escrow: 150.00

Bal Due: \$18.00

Total Due: \$218.00

Received 8/28/95

CK 1760

AS OF: 06/21/95

PAGE: 1

CHRONOLOGICAL JOB STATUS REPORT

JOB: 87-56 NEW WINDSOR PLANNING BOARD (Chargeable to Applicant)

CLIENT: NEWWIN - TOWN OF NEW WINDSOR

TASK: 94- 28

FOR WORK DONE PRIOR TO: 06/21/95

TASK-NO	REC	--DATE--	TRAN	EMPL	ACT	DESCRIPTION-----	RATE	HRS.	TIME	-----DOLLARS-----		
										EXP.	BILLED	BALANCE
94-28	69173	05/18/94	TIME	NJE	WS	MORELL L/L	70.00	0.40	28.00			
94-28	76079	09/21/94	TIME	NJE	WS	SHEPARD L/L	70.00	0.40	28.00			
94-28	77698	10/25/94	TIME	NJE	MC	MOREL/SHEPARD	70.00	0.50	35.00			
94-28	77241	10/26/94	TIME	NJE	MM	MOREL LL COND APPL	70.00	0.10	7.00			
94-28	77504	10/26/94	TIME	MCK	CL	M/RVM COMMENT	25.00	0.50	12.50			
									110.50			
94-28	79488	11/30/94				BILL 94-655 12/13/94 PD					-110.50	
											-110.50	
TASK TOTAL									110.50	0.00	-110.50	0.00
GRAND TOTAL									110.50	0.00	-110.50	0.00

August 4, 1995

Bruce G. & Carol Anne Shepard
18 Lakeside Drive
New Windsor, New York 12553
914-496-8117

The Town of New Windsor Planning Board,
555 Union Avenue
New Windsor, New York 12553

Attention Chairman James Petro, Jr.,

We are requesting a reapproval of application 94-28. Reason being, that we would like to finalize the lot line change. We, the Shepards, want to be free of any liabilities of the driveway, the Morels, which is presently on our property. Both ourselves and Morels have signed and agreed with the changes indicated on the map.

The tardiness for completion of the paperwork for the previous application is not from us. The Morels and there lawyer were handling all issues for the original application. Upon learning that the application approval had lapsed due to time considerations, we immediately acted.

We hope this meets with the boards approval so we can finalize this issue at once.

Sincerely,


Bruce G. Shepard & Carol Anne Shepard

To ReApprove:

(m) ✓

5 Ayes

(S) 0

0 Nay

8/9/95 @

RESULTS OF P.B. MEETING

DATE: October 26, 1994

PROJECT NAME: Marcel Shepard L.L. Co. PROJECT NUMBER 94-28

* * * * *

* NEGATIVE DEC:

* M) V S) S VOTE: A 5 N 0

* CARRIED: YES: ☒ NO ☐

* * * * *

PUBLIC HEARING: M) L S) V VOTE: A 5 N 0

WAIVED: YES ☒ NO ☐

SEND TO OR. CO. PLANNING: M) S) VOTE: A N YES NO

SEND TO DEPT. OF TRANSPORT: M) S) VOTE: A N YES NO

DISAPP: REFER TO Z.B.A.: M) S) VOTE: A N YES NO

RETURN TO WORK SHOP: YES _____ NO _____

APPROVAL:

M) S) VOTE: A N APPROVED: _____

M) 5 S) 0 VOTE: A 5 N 0 APPR. CONDITIONALLY: 10/26/94

NEED NEW PLANS: YES ☒ NO ☐

DISCUSSION/APPROVAL CONDITIONS: _____

Note - "No further subdivision"

1

MOREL/SHEPARD LOT LINE CHANGE (94-28) LAKESIDE ROAD

Steven Drabick appeared before the board for this proposal.

MR. DRABICK: Basically, application before you is for a lot line change involving two parcels located on Lakeside Drive in Beaver Dam lake. Both parcels are in an R-4 zone, both are in excess of 2 1/2 acres, both have existing single family dwellings on them that are served by municipal sewer and private individual wells. The parcel to the north is owned by the Morels, parcel to the south is owned by Shepard. The reason for the lot line change is to eliminate a driveway encroachment at the road line between the two parcels and also to eliminate a roof encroachment on the garage on the Morel parcel. We have accomplished this by in essence proposing an equal swap of property, being 452 square feet.

MR. LANDER: Can you point out the existing line and proposed line?

MR. DRABICK: Okay, the existing line on the larger drawing is the darker, okay, part of the existing line is the dark line and then it runs into a thinner line marked existing lot line here and existing lot line here. Also on the large end maybe you can see a little bit better on the large end we show the existing line as the white line and proposed new line as the dark line.

MR. PETRO: Extremely minor in nature.

MR. DRABICK: We're only talking 452 square feet. That parcel in the front driveway is now encroaching will be conveyed to the Morels and then the equal parcel long narrow triangle piece in the middle of the property will be conveyed to the Shepards.

MR. PETRO: Mark, let me ask you this. Once if the Zoning Board gives the necessary variances to come back--I'm sorry, I'm on the wrong one. Do either one of these lots the way it's presented have any conformities of any kind, anything we should be

concerned with?

MR. EDSALL: You have got a pre-existing non-conformance relative to lot 80 but again, that is pre-existing in all the respects. They have maintained compliance and as I've noted in comment one, it appears that only two bulk items that are being affected are the frontage and side yard for lot 81 and for those two items that are being decreased, they still are maintaining compliance. So, it's my opinion that there's no need to go to the ZBA and you can act on this.

MR. VAN LEEUWEN: How much frontage do you have on the two lots?

MR. DRABICK: Prior to the lot line change, you have a 117.84 on the Morel piece, which is the large piece and you have got a total of about 96, almost 97 feet on the Shepard piece. There's a little jog here of ten feet, a little over ten feet. After lot line change, you'll have a frontage on the Morel piece of 111.7 and you'll have frontage on the Shepard piece of 81.8 and the requirement there is 100 feet, I'm sorry, I'm in the wrong column here. After lot line change you'll have frontage on the Morel piece which is tax lot 80 of 100 which means the minimum required on the Shepard piece you'll still have 108.8 which is in excess.

MR. VAN LEEUWEN: What's the reason for doing this, the driveway and the encroachment for the garage?

MR. DRABICK: Yeah, what's encroaching on the garage is just the roof eave.

MR. VAN LEEUWEN: There's not going to be any further subdivision?

MR. DRABICK: No.

MR. VAN LEEUWEN: One thing they do here they come in with a road and they want to put houses back by the lake, this is wetland there.

MR. PETRO: Narrow lots, you're going to have a hard

time. Houses are right in the center of the lot.

MR. VAN LEEUWEN: I'd still like to have something entered into the record no further subdivisions, Mr. Chairman.

MR. PETRO: No problem, you can have that added.

MR. DRABICK: I don't see that as a problem. Any future subdivision of this it would have to go through the ZBA anyway to be a requirement.

MR. PETRO: What Mr. Van Leeuwen is saying that the condition of the new lot line change we don't want to entertain any new subdivision on this lot, just make a notation of that.

MR. DRABICK: We'll just add the note.

MR. PETRO: Any other?

MR. LANDER: Lead agency.

MR. DUBALDI: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare itself lead agency for the Morel/Shepard lot line change. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. SCHIEFER	AYE
MR. VAN LEEUWEN	AYE
MR. DUBALDI	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. LANDER: Motion to waive public hearing.

MR. DUBALDI: Second it.

MR. PETRO: Motion has been made and second that the New Windsor Planning Board waive the public hearing

under its discretionary powers for the Morel/Shepard lot line change. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. SCHIEFER	AYE
MR. VAN LEEUWEN	AYE
MR. DUBALDI	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. PETRO: Negative or positive dec?

MR. VAN LEEUWEN: So moved.

MR. SCHIEFER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare negative dec for the Morel/Shepard lot line change. Any further discussion from the board members? If not, roll call.

ROLL CALL

MR. SCHIEFER	AYE
MR. VAN LEEUWEN	AYE
MR. DUBALDI	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. SCHIEFER: If the applicant has no objection including the statement no further subdivision of these properties, I make a motion that we approve them with that provision.

MR. DUBALDI: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant final approval to the lot line change for the Morel/Shepard lot line change application, subject to the applicant stating on the plan that there will be no further subdivision of these lots.

October 26, 1994

7

MR. VAN LEEUWEN: On either lot.

MR. PETRO: Either lot. Any further discussion from the board members? If not, roll call.

ROLL CALL

MR. SCHIEFER	AYE
MR. VAN LEEUWEN	AYE
MR. DUBALDI	AYE
MR. LANDER	AYE
MR. PETRO	AYE



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
JAMES M. FARR, P.E.

- ☐ **Main Office**
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- ☐ **Branch Office**
507 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765

**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS**

REVIEW NAME: MOREL/SHEPARD LOT LINE CHANGE
PROJECT LOCATION: LAKESIDE DRIVE (BEAVER DAM LAKE)
SECTION 57-BLOCK 1-LOTS 80 AND 81
PROJECT NUMBER: 94-28
DATE: 26 OCTOBER 1994
DESCRIPTION: THE APPLICATION INVOLVES A PROPOSED LOT LINE
CHANGE BETWEEN LOTS 80 AND 81, TO ADDRESS AN
EXISTING DRIVEWAY ENCROACHMENT PROBLEM, AS
WELL AS A GARAGE ENCROACHMENT ACROSS THE
PROPERTY LINE. THE APPLICATION WAS REVIEWED ON
A CONCEPT BASIS ONLY.

1. Based on my review of the plan, it appears that the application proposes an even "swap" of 452 square feet between the two involved parcels. The plan corrects the driveway encroachment and, as well, eliminates the encroachment of the garage of Lot 80, onto the Lot 81 parcel. As such, it is my opinion that the application is an improvement to the existing situation and should be treated favorably.

With regard to zoning compliance, the only bulk items being decreased are the frontage and single side yard for Lot 81. In both cases, zoning compliance is maintained.

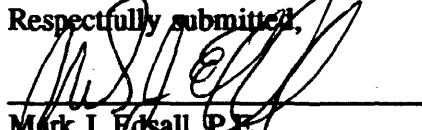
2. The Planning Board may wish to assume the position of Lead Agency under the SEQRA process.
3. The Planning Board should determine if a Public Hearing will be necessary for this minor subdivision/lot line change, or if same can be waived per Paragraph 4.B of the Subdivision Regulations.

**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS
PAGE 2**

REVIEW NAME: MOREL/SHEPARD LOT LINE CHANGE
PROJECT LOCATION: LAKESIDE DRIVE (BEAVER DAM LAKE)
SECTION 57-BLOCK 1-LOTS 80 AND 81
PROJECT NUMBER: 94-28
DATE: 26 OCTOBER 1994

4. The Planning Board may wish to make a **determination** regarding the type action this project should be classified under SEQRA and make a determination regarding environmental significance.
5. At this time, I am aware of no reason why this application could not be considered for approval at this time.

Respectfully submitted,



Mark J. Edsall, P.E.
Planning Board Engineer

MJEmk

A:MOREL.mk

P.B. # 94-28 ESCROW

STEVEN P. DRABICK P.L.S.

P.O. BOX 539
CORNWALL, NY 12518
PHONE: (914) 534-2208

50-7131/2219

Memo Escrow fee
250-94 LLC

Pay
Amount
of

One hundred and fifty and 00/100

Dollars

Date
10/20/94
794

To The Order of

Town of New Windsor

Check
Number
794

Check Amount
\$ 150.00

WALDEN SAVINGS BANK
321 HUDSON STREET, CORNWALL-ON-THE-HUDSON, NEW YORK 12526

Steven Drabick

⑆221971316⑆06 95 001340⑆ 0794

P.B. # 94-28 Application Fee

STEVEN P. DRABICK P.L.S.

P.O. BOX 539
CORNWALL, NY 12518
PHONE: (914) 534-2208

50-7131/2219

Memo Application fee
#250-94 LLC

Pay
Amount
of

Fifty and 00/100

Dollars

Date
10/20/94
793

To The Order of

Town of New Windsor

Check
Number
793

Check Amount
\$ 50.00

WALDEN SAVINGS BANK
321 HUDSON STREET, CORNWALL-ON-THE-HUDSON, NEW YORK 12526

Steven Drabick

⑆221971316⑆06 95 001340⑆ 0793



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, ~~SEWER~~, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 94- 28

DATE PLAN RECEIVED: RECEIVED OCT 21 1994

The maps and plans for the Site Approval ✓

Subdivision _____ as submitted by

_____ for the building or subdivision of

MOREL & SHEPARD has been

reviewed by me and is approved ✓

disapproved _____

If disapproved, please list reason _____

HIGHWAY SUPERINTENDENT _____ DATE _____

WATER SUPERINTENDENT _____ DATE _____

[Signature] 10-26-94
SANITARY SUPERINTENDENT _____ DATE _____



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER,

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 94- 28

DATE PLAN RECEIVED: RECEIVED OCT 2 1 1994

The maps and plans for the Site Approval _____

Subdivision _____ as submitted by

_____ for the building or subdivision of

_____ has been

reviewed by me and is approved ☒ _____,

disapproved ☐ _____.

If disapproved, please list reason _____

David Brown 11/14/94
HIGHWAY SUPERINTENDENT DATE

WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE

INTER-OFFICE CORRESPONDENCE

TO: Town Planning Board

FROM: Town Fire Inspector

DATE: 24 October 1994

SUBJECT: Morel/Shepard Lot Line

Planning Board Reference Number: PB-94-28

Dated: 21 October 1994

Fire Prevention Reference Number: FPS-94-061

A review of the above referenced subject lot line change plan was conducted on 24 October 1994.

This lot line change is acceptable.

Plans Dated: 17 September 1994


Robert F. Rodgers, C.C.A.

RFR/mvz

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553



1763

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., ~~██████~~, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: **94- 28**

DATE PLAN RECEIVED: **RECEIVED OCT 21 1994**

The maps and plans for the Site Approval Lake Side Drive / Lands of Morel + Shepard
Subdivision _____ as submitted by

Steven Drabick for the building or subdivision of
_____ has been

reviewed by me and is approved No town water in this area

~~disapproved~~ _____

If disapproved, please list reason _____

HIGHWAY SUPERINTENDENT DATE

Steven Drabick 10-24-94
WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.

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45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- ☐ Branch Office
400 Broad Street
Millford, Pennsylvania 18337
(717) 296-2765

PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

1-3

TOWN/VILLAGE OF

New Windsor

P/B # 94 - 28

WORK SESSION DATE:

21 SEPT 94

APPLICANT RESUB.

REQUIRED:

Full App

REAPPEARANCE AT W/S REQUESTED:

No

PROJECT NAME:

Marrell Shepard. 4

PROJECT STATUS: NEW _____ OLD _____

REPRESENTATIVE PRESENT:

Steve D, Mrs. Shepard

MUNIC REPS PRESENT: BLDG INSP. X

FIRE INSP. X

ENGINEER X

PLANNER _____

P/B CHMN. _____

OTHER (Specify) _____

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

1/2 change to correct driveway
encroachment & garage overhang over.

garage loc pre-exist non-conf.
per fill review by Muta B.

improving situation

add bldg ht, liv area, dwn't cvg.



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Millford, Pennsylvania 18337
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**PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE**

(TOWN/VILLAGE OF New Windsor P/B # 94-28
WORK SESSION DATE: 18 MAY '94 APPLICANT RESUB.
REAPPEARANCE AT W/S REQUESTED: Yes REQUIRED: _____
PROJECT NAME: Marcel/Shepard Yc
PROJECT STATUS: NEW _____ OLD _____
REPRESENTATIVE PRESENT: John Poggioli Esq.
MUNIC REPS PRESENT: BLDG INSP. in bids
FIRE INSP. 604
ENGINEER X
PLANNER _____
P/B CHMN. _____
OTHER (Specify) _____

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- need actual survey of dividing line
& bldg/direct setbacks.
- R-4
- Steve Drabick -
disc need to avoid variances

4MJE91 pbwsform



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

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WILLIAM J. HAUSER, P.E.
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PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

TOWN/VILLAGE OF New Windsor

P/B # 94 - 28

WORK SESSION DATE: 15 Dec '93

APPLICANT RESUB.
REQUIRED:

REAPPEARANCE AT W/S REQUESTED: Yes

PROJECT NAME: Morrell/Shepard Yc

PROJECT STATUS: NEW OLD

REPRESENTATIVE PRESENT: Mr. Morrell + Mr. T.G.

MUNIC REPS PRESENT: BLDG INSP.
FIRE INSP.
ENGINEER
PLANNER
P/B CHMN.
OTHER (Specify)

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

81-1-57 57-1-80

X Myra = ck files for Pizzo subdiv on
Lakeside drive - (10-15 yrs old)

want to change 1c garage
encroachment & drive encroachment

need
surveyor

Map Number 164-95

Section 57 Block 1 Lot 81

57 1 80

City []
Town [X]
Village []

94-28

New Windsor

Title: Morel & Shepard

Dated: 11-3-94 Filed 9-1-95

Approved by Henry Van Leeuwen

on 8-28-95

Record Owner 57-1-80 - Morel, Serge R & Julia A.

57-1-81- Shepard, Bruce & Carol
Anne

JOAN A. MACCHI
Orange County Clerk

1 sheet

Planning Board
Town of New Windsor
555 Union Avenue
New Windsor, NY 125530

(This is a two-sided form)

APPLICATION FOR SITE PLAN, SUBDIVISION PLAN,
OR LOT LINE CHANGE APPROVAL

1. Name of Project Proposed Lot Line Change - Lands of Morel and Shepard
2. Name of Applicant Serge & Julie Morel Phone 496-7563
Address Lake Side Drive, Beaver Dam, New Windsor, NY 12553
(Street No. & Name) (Post Office) (State) (Zip)
3. Owner of Record Same Phone _____
Address _____
(Street No. & Name) (Post Office) (State) (Zip)
4. Person Preparing Plan Steven Drabick Phone 534-2208
Address P O Box 539, Cornwall, NY 12518
(Street No. & Name) (Post Office) (State) (Zip)
5. Attorney John Poggioli Phone 566-1497
Address _____
(Street No. & Name) (Post Office) (State) (Zip)
6. Person to be notified to represent applicant at Planning Board Meeting Steven Drabick Phone 534-2208
(Name)
7. Location: On the easterly side of Lake Side Drive
(Street)
350 feet northerly
(Direction)
of Walnut Avenue
(Street)
8. Acreage of Parcel 2.7365
9. Zoning District R-4
9A. School District Washingtonville
10. Tax Map Designation: Section 57 Block 1 Lot 80
11. This application is for Lot Line Change

RECEIVED
TOWN OF NEW WINDSOR
PLANNING BOARD
555 UNION AVENUE
NEW WINDSOR, NY 125530

12. Has the Zoning Board of Appeals granted any variance or a Special Permit concerning this property? no

If so, list Case No. and Name _____

13. List all contiguous holdings in the same ownership
Section _____ Block _____ Lot(s) _____

Attached hereto is an affidavit of ownership indicating the dates the respective holdings of land were acquired, together with the liber and page of each conveyance into the present owner as recorded in the Orange County Clerk's Office. This affidavit shall indicate the legal owner of the property, the contract owner of the property and the date the contract of sale was executed.

IN THE EVENT OF CORPORATE OWNERSHIP: A list of all directors, officers and stockholders of each corporation owning more than five percent (5%) of any class of stock must be attached.

OWNER'S ENDORSEMENT
(Completion required ONLY if applicable)

COUNTY OF ORANGE

SS.:

STATE OF NEW YORK

_____ being duly sworn, deposes and says
that he resides at _____
in the County of _____ and State of _____
and that he is (the owner in fee) of _____

(Official Title)

of the Corporation which is the Owner in fee of the premises described in the foregoing application and that he has authorized _____ to make the foregoing application as described herein.

I HEREBY DEPOSE AND SAY THAT ALL THE ABOVE STATEMENTS AND INFORMATION, AND ALL STATEMENTS AND INFORMATION CONTAINED IN THE SUPPORTING DOCUMENTS AND DRAWINGS ATTACHED HERETO ARE TRUE.

Sworn before me this _____

X James R. Maciel
(Owner's Signature)

16 day of Oct 1994

X James R. Maciel
(Applicant's Signature)

John A. Rinaldi
Notary Public

(Title)

JOHN A. RINALDI, ESQ.
Notary Public, State of New York
Qualified in Orange County
Commission Expires March 30, 1996

2/28/96

94-28

RECEIVED OCT 21 1994

Planning Board
Town of New Windsor
555 Union Avenue
New Windsor, NY 125530

(This is a two-sided form)

APPLICATION FOR SITE PLAN, SUBDIVISION PLAN,
OR LOT LINE CHANGE APPROVAL

1. Name of Project Proposed Lot Line Change - Lands of Morel and Shepard
2. Name of Applicant Bruce & Carol Shepard Phone 496-8117
Address Lake Side Drive, Beaver Dam, New Windsor, NY 12553
(Street No. & Name) (Post Office) (State) (Zip)
3. Owner of Record SAME Phone _____
Address _____
(Street No. & Name) (Post Office) (State) (Zip)
4. Person Preparing Plan Steven P. Drabick Phone 534-2208
Address P O Box 539, Cornwall, NY 12518
(Street No. & Name) (Post Office) (State) (Zip)
5. Attorney Holis Griffin Phone 735-4300
Address _____
(Street No. & Name) (Post Office) (State) (Zip)
6. Person to be notified to represent applicant at Planning Board Meeting Steven Drabick Phone 534-2208
(Name)
7. Location: On the easterly side of Lake Side Drive
450 feet northerly
(Street)
(Direction)
of Walnut Avenue
(Street)
8. Acreage of Parcel 2.9167
9. Zoning District R-4
- 9A. School District Washingtonville
10. Tax Map Designation: Section 57 Block 1 Lot 80
11. This application is for Lot Line Change

12. Has the Zoning Board of Appeals granted any variance or a Special Permit concerning this property? no

If so, list Case No. and Name _____

13. List all contiguous holdings in the same ownership
Section _____ Block _____ Lot(s) _____

Attached hereto is an affidavit of ownership indicating the dates the respective holdings of land were acquired, together with the liber and page of each conveyance into the present owner as recorded in the Orange County Clerk's Office. This affidavit shall indicate the legal owner of the property, the contract owner of the property and the date the contract of sale was executed.

IN THE EVENT OF CORPORATE OWNERSHIP: A list of all directors, officers and stockholders of each corporation owning more than five percent (5%) of any class of stock must be attached.

OWNER'S ENDORSEMENT

(Completion required ONLY if applicable)

COUNTY OF ORANGE

SS.:

STATE OF NEW YORK

_____ being duly sworn, deposes and says
that he resides at _____
in the County of _____ and State of _____
and that he is (the owner in fee) of _____

(Official Title)

of the Corporation which is the Owner in fee of the premises described in the foregoing application and that he has authorized _____ to make the foregoing application as described herein.

I HEREBY DEPOSE AND SAY THAT ALL THE ABOVE STATEMENTS AND INFORMATION, AND ALL STATEMENTS AND INFORMATION CONTAINED IN THE SUPPORTING DOCUMENTS AND DRAWINGS ATTACHED HERETO ARE TRUE.

Sworn before me this

30th day of September 1997

Anne M. Tierney
Notary Public

ANNE M. TIERNEY
Notary Public, State of New York
Qualified in Dutchess County
Reg. No. 4927469
Commission Expires April 18, 1998

Carol Anne Shepard
(Owner's Signature)

Carol Anne Shepard
(Applicant's Signature)

(Title)

ANNE M. TIERNEY
Notary Public, State of New York
Qualified in Dutchess County
Reg. No. 4927469
Commission Expires April 18, 1998

Notarized Carol Anne Shepard's
signature only

RECEIVED OCT 21 1994

94 - 28

PROXY STATEMENT
for submittal to the
TOWN OF NEW WINDSOR PLANNING BOARD

Bruce Shepard & Carol Shepard, deposes and says that he
resides at Lake Side Drive, Beaver Dam, New Windsor, NY
(Owner's Address)
in the County of Orange
and State of New York
and that he is the owner in fee of Lake Side Drive
(Tax Lot 57-1-81)

which is the premises described in the foregoing application and
that he has authorized Steven P. Drabick
to make the foregoing application as described therein.

Date: 9-30-94

Bruce G. Shepard
Carol Anne Shepard
(Owner's Signature)

Anne M. Turney
Deborah A. Kelley
(Witness' Signature)

THIS FORM CANNOT BE WITNESSED BY THE PERSON OR REPRESENTATIVE OF
THE COMPANY WHO IS BEING AUTHORIZED TO REPRESENT THE APPLICANT
AND/OR OWNER AT THE MEETINGS.

4 - 28

RECEIVED OCT 21 1994

PROXY STATEMENT
for submittal to the
TOWN OF NEW WINDSOR PLANNING BOARD

Serge Morel & Julie Morel, deposes and says that he
resides at Lake Side Drive, Beaver Dam, New Windsor, NY
(Owner's Address)
in the County of Orange
and State of New York
and that he is the owner in fee of Lake Side Drive
(Tax Lot 57-1-80)
which is the premises described in the foregoing application and
that he has authorized Steven P. Drabick
to make the foregoing application as described therein.

Date: 10/16/94

X *Aug R MacFarlane*
(Owner's Signature)

X *John A. Drabick*
(Witness' Signature)

THIS FORM CANNOT BE WITNESSED BY THE PERSON OR REPRESENTATIVE OF
THE COMPANY WHO IS BEING AUTHORIZED TO REPRESENT THE APPLICANT
AND/OR OWNER AT THE MEETINGS.

PROJECT I.D. NUMBER

617.21

Appendix C

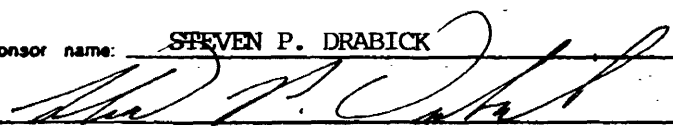
94-28
RECEIVED OCT 21 1994 SEQ

State Environmental Quality Review

SHORT ENVIRONMENTAL ASSESSMENT FORM

For UNLISTED ACTIONS Only

PART I—PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

1. APPLICANT /SPONSOR STEVEN P. DRABICK		2. PROJECT NAME Lot Line Change - Morel and Shepard	
3. PROJECT LOCATION: Municipality T/O New Windsor County Orange			
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) Tax Map Designations 57-1-80 & 57-1-81			
5. IS PROPOSED ACTION: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration			
6. DESCRIBE PROJECT BRIEFLY: Lot line change to eliminate a driveway and roof eave encroachment.			
7. AMOUNT OF LAND AFFECTED: Initially <u>5.6532</u> acres Ultimately <u>5.6532</u> acres			
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly			
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe:			
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, list agency(s) and permit/approvals T/O New Windsor Planning Board approval.			
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency name and permit/approval			
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE			
Applicant/sponsor name: STEVEN P. DRABICK		Date: 9/26/94	
Signature: 			

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

OVER

PART II—ENVIRONMENTAL ASSESSMENT (To be completed by Agency)

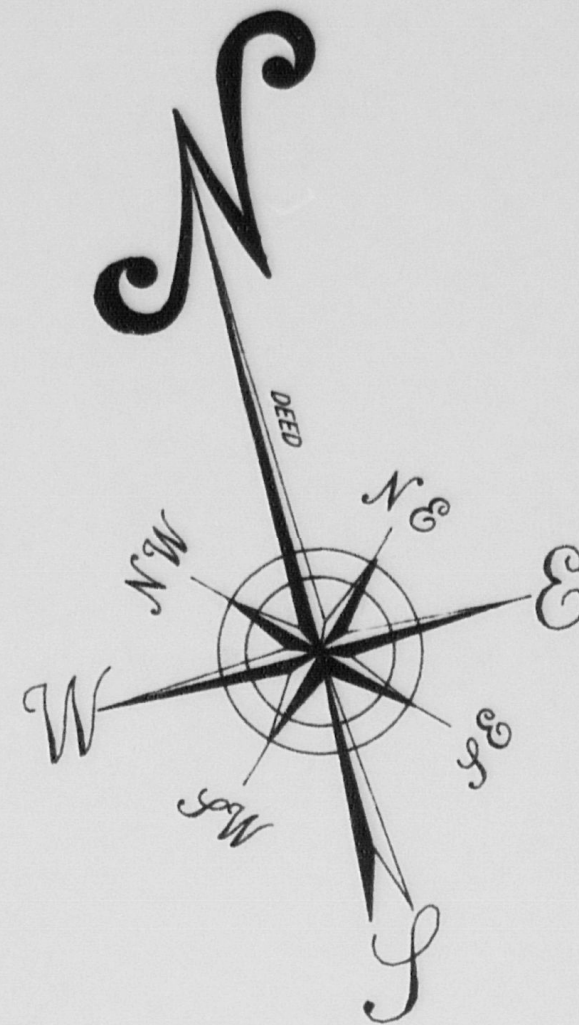
A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12? If yes, coordinate the review process and use the FULL EAF.	
<input type="checkbox"/> Yes <input type="checkbox"/> No	
B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency.	
<input type="checkbox"/> Yes <input type="checkbox"/> No	
C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)	
C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:	
C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:	
C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:	
C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:	
C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:	
C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:	
C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:	
D. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?	
<input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, explain briefly	

PART III—DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

<input type="checkbox"/> Check this box if you have identified one or more potentially large or significant adverse impacts which MAY occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.	
<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action WILL NOT result in any significant adverse environmental impacts AND provide on attachments as necessary, the reasons supporting this determination:	
<hr/>	
Name of Lead Agency	
<hr/>	
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
<hr/>	<hr/>
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from responsible officer)
<hr/>	<hr/>
Date	
<hr/>	

STEVEN P. DRABICK
PROFESSIONAL LAND SURVEYOR
PO BOX 539, CONTINENTAL RD.
CORNWALL, N.Y. 12618



APPLICABLE ZONING INFORMATION

BULK REGULATIONS FOR SUBURBAN RESIDENTIAL (R-4) ONE FAMILY DWELLING ON EACH LOT WITH CENTRAL SEWER

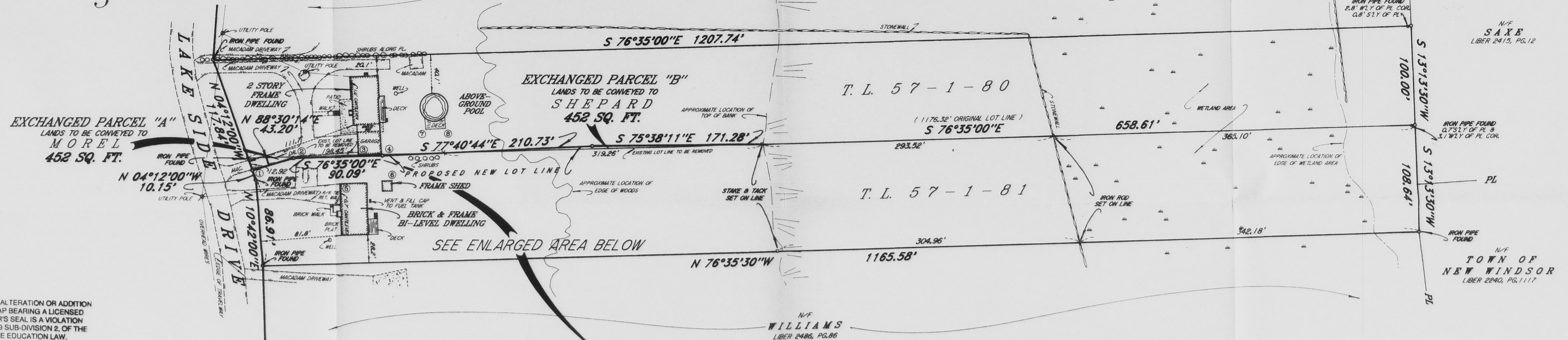
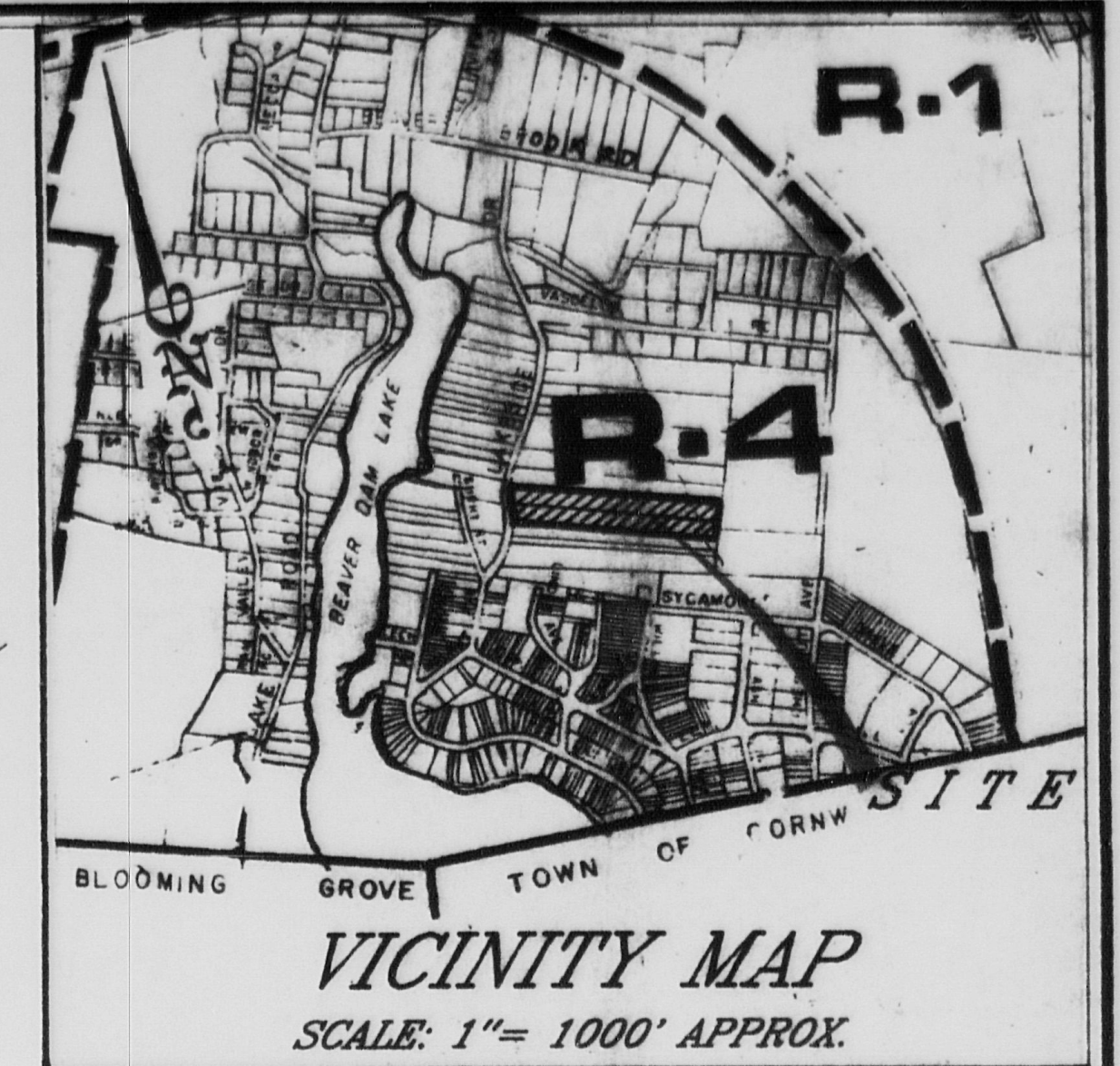
PARCEL	MINIMUM LOT AREA (ACRES)	MINIMUM LOT WIDTH (FEET)	FRONT YARD DEPTH (FEET)	SIDE YARD/ TOTAL BOTH YARDS (FEET)	REAR YARD DEPTH (FEET)	STREET FRONTAGE (FEET)
REQUIRED:	0.5000	100	35	15/30	40	60
T.L. 57-1-80	2.7365	100	111.7	15/21.6*	MORE THAN 40	117.84
T.L. 57-1-81	2.9167	108.8	81.8	27.2/55.4	MORE THAN 40	97.06

NOTE: * DENOTES PRE-EXISTING NONCONFORMITY.

PARCEL	MAX. BUILDING HGT. (FEET)	MIN. LIVABLE FLOOR AREA (SQUARE FEET)	DEVELOPMENT COVERAGE (PERCENT)
REQUIRED:	35	1,000	20
T.L. 57-1-80	LESS THAN 30	1,320	5.84
T.L. 57-1-81	LESS THAN 30	2,100	2.38

NOTES:

- BEING A LOT LINE CHANGE OF LOT 80 & 81, BLOCK 1, SECTION 57 AS SHOWN ON THE TOWN OF NEW WINDSOR TAX MAP.
- OWNER/APPLICANT: T.L. 57-1-80 SERGE R. & JULIE A. MOREL T.L. 57-1-81 BRUCE G. & CAROL ANNE SHEPARD
LAKE SIDE DRIVE LAKE SIDE DRIVE
BEAVER DAM, NEW WINDSOR, NY BEAVER DAM, NEW WINDSOR, NY
- PROPERTY ZONE: SUBURBAN RESIDENTIAL (R-4)
- PROPERTY AREA: TOTAL OF BOTH PARCELS 5.6532 ACRES
- PROPOSED USE: THE PURPOSE OF THE LOT LINE CHANGE IS TO ELIMINATE A DRIVEWAY AND ROOF EAVE ENCROACHMENT.
- WATER SUPPLY: PRIVATE INDIVIDUAL WELLS
- SANITARY SEWAGE DISPOSAL: TOWN OF NEW WINDSOR MUNICIPAL
- THERE SHALL BE NO FURTHER SUBDIVISION OF THE LOTS SHOWN HEREON.



UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209 SUB-DIVISION 2, OF THE NEW YORK STATE EDUCATION LAW.

COPIES OF THIS SURVEY MAP NOT HAVING THE EMBOSSED SEAL OF THE LAND SURVEYOR SHALL NOT BE VALID.

CERTIFICATIONS SHOWN HEREON ARE NOT TRANSFERABLE TO ADDITIONAL INDIVIDUALS, INSTITUTIONS, THEIR SUCCESSORS AND/OR ASSIGNS, OR SUBSEQUENT OWNERS.

EASEMENTS OR RIGHT-OF-WAYS ON, OR UNDER THE LANDS, AND NOT VISIBLE, ARE NOT SHOWN.

I HEREBY CERTIFY ONLY TO THE PARTIES LISTED BELOW THAT THIS MAP IS BASED ON AN ACTUAL FIELD SURVEY COMPLETED ON 3/17/95 AND HAS BEEN PREPARED IN ACCORDANCE WITH THE CODE OF PRACTICE ESTABLISHED BY THE N.Y.S. ASSOC. OF PROFESSIONAL LAND SURVEYORS, INC.

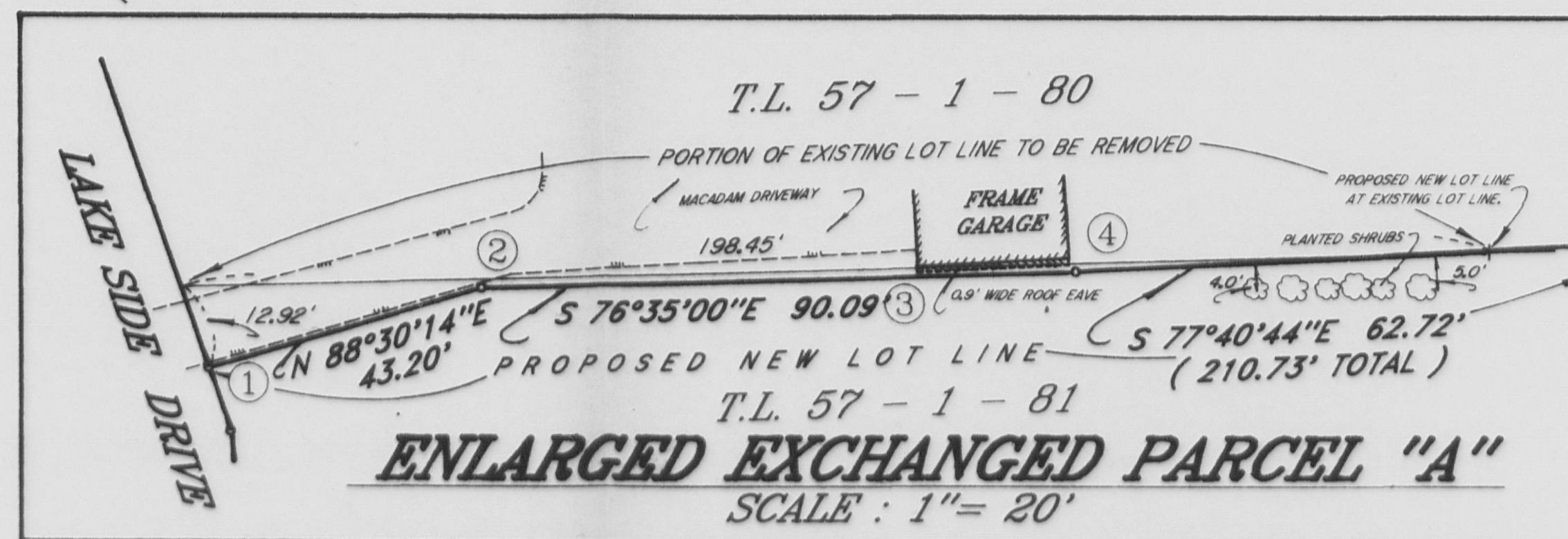
THIS CERTIFICATION DOES NOT RUN WITH TITLE TO THE LAND AND IS SUBJECT TO ANY STATE OF FACTS A TITLE SEARCH MAY REVEAL.

* SERGE R. MOREL & JULIE A. MOREL,
* BRUCE G. SHEPARD & CAROL ANNE SHEPARD,
* TOWN OF NEW WINDSOR

OFFSET DISTANCE TABLE

AFFECTED IMPROVEMENT TO PROPERTY LINE OFFSET DISTANCES			
LOCATION #	DESCRIPTION	EXISTING	PROPOSED
1	EDGE OF DRIVEWAY AT ROAD LINE	11.3' ENC.	0.6' CLR.
2	EDGE OF DRIVEWAY AT PROPERTY LINE	AT PL	0.6' CLR.
3	GARAGE CORNER	0.3' CLR.	1.5' CLR.
4	ROOF EAVE CORNER	0.5' ENC.	0.6' CLR.
5	GARAGE CORNER	0.8' CLR.	2.0' CLR.
6	ROOF EAVE CORNER	AT PL	1.1' CLR.
7	DWELLING CORNER	28.4' CLR.	27.2' CLR.
8	SHED CORNER	26.7' CLR.	25.6' CLR.
9	POOL DECK CORNER	23.9' CLR.	24.3' CLR.
10	POOL DECK CORNER	24.6' CLR.	24.3' CLR.

NOTE: ENC. = ENCROACHMENT
CLR. = CLEAR



AREA TABLE

PARCEL	EXISTING	TO BE GRANTED	TO BE GRANTED	PROPOSED
LANDS OF MOREL				
T.L. 57-1-80	2.7365 AC.		0.0104 AC	
"A"		0.0104 AC		
T.L. 57-1-81				2.7365 ACRES
LANDS OF SHEPARD				
T.L. 57-1-81	2.9167 AC.		0.0104 AC	
"A"		0.0104 AC		
T.L. 57-1-81			0.0104 AC	2.9167 ACRES

PROPOSED LOT LINE CHANGE OF LANDS OF MOREL AND SHEPARD

TOWN OF NEW WINDSOR
SCALE 1" = 50'

ORANGE COUNTY, NEW YORK
SEPTEMBER 17, 1994

50 0 50 100 150
GRAPHIC SCALE - FEET

SHEET 1 OF 1

REVISIONS
DATE DESCRIPTION

11-15-94 AND NOTE ON AS PER P.L. REQUEST.

JOB NO. 250-94

RECEIVED JUN - 6 1995

94-26



STEVEN P. DRABICK, PLS NY LIC. #49806

I, SERGE R. MOREL & JULIE A. MOREL, OWNERS OF T.L. 57-1-80 AND
I, BRUCE G. SHEPARD & CAROL ANNE SHEPARD, OWNERS OF T.L. 57-1-81
OF THE PROPOSED LOT LINE CHANGE SHOWN HEREON, HAVING REVIEWED ALL OF THE SHEETS
OF THIS PLAT, DO CONCUR WITH THE INFORMATION AND PROPOSALS SHOWN THEREON AND
AGREE TO ALL CONDITIONS SET FORTH AS APPROVED, AND FURTHER HEREBY CONSENT TO THE
FILING OF THIS MAP.
Serge R. Morel Julie A. Morel 5/16/95
Bruce G. Shepard Carol Anne Shepard 5/16/95
DATE DATE